

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Chief, Criminal Division

KEVIN J. BARRY (CABN 229748)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7200
Facsimile: (415) 436-7234
Email: kevin.barry@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) CR No. 12-0438 RS

Plaintiff,)

v.)

MICHAEL EARL PETTIS,)

Defendant.)

**STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME**

During the initial status hearing before the Court on June 19, 2012, the Court set August 7, 2012 as the date for a further status hearing. At the June 19, 2012 hearing, the parties requested that the Court exclude the period from June 19, 2012, through August 7, 2012, from the time limits of 18 U.S.C. § 3161, on the basis of the need for effective preparation of counsel. Also at the hearing, the Court made findings that the ends of justice served by granting such an exclusion of time outweighed the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

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STIPULATION AND [PROPOSED] ORDER EXCLUDING TIME
CR 12-0438 RS

1 Through this stipulation, the parties request that the Court memorialize this exclusion
2 through the attached proposed Order.

3
4 SO STIPULATED:

MELINDA HAAG
United States Attorney

5
6 DATED: August 6, 2012

/s/
KEVIN J. BARRY
Assistant United States Attorney

7
8 DATED: August 6, 2012

/s/
BRENDAN CONROY
Attorney for MICHAEL EARL PETTIS

9
10
11 ~~PROPOSED~~ ORDER

12 For the reasons stated above and at the June 19, 2012 hearing, the Court finds that
13 exclusion from the time limits applicable under 18 U.S.C. § 3161 the period from June 19, 2012,
14 through August 7, 2012 is warranted and that the ends of justice served by the continuance
15 outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C.
16 §3161(h)(7)(A). The failure to grant the requested exclusion of time would deny counsel for the
17 defendant and for the government the reasonable time necessary for effective preparation, taking
18 into account the exercise of due diligence, and would affect continuity of counsel, resulting in a
19 miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(iv).

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21 IT IS SO ORDERED.

22
23 DATED: 8/6/12


THE HONORABLE RICHARD SEEBOURG
United States District Judge